IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.453 OF 2006.

Mrs.Sheela Madhukar Salve. ... Applicant.

Versus.

Laxman Anna Phatak and others. ... Respondents.

None for the Applicant.

Shri U.V.Nikam, A.P.P.for the Respondent-State.

CORAM : ABHAY S.OKA, J.

DATED : 8th November, 2006.

P.C.:

1. None for the Applicant. This is an application for condonation of delay in filing the Application for leave to prefer an Appeal under section 378(4) of the Code of Criminal Procedure, 1973. A perusal of the record shows that the order of acquittal is not passed on a private complaint and the acquittal is in a case filed at the instance of the State. Hence Application under section 378 of the said Code at the instance of the Applicant is not maintainable in law. Therefore, this application for condonation of delay is rejected. The rejection of this Application will not preclude the Applicant from taking recourse to the remedy available under the law.

Judge.